[ShriV. Narayansamy]

the progress in the coal industry. There should also be 'evievv meetings in which the Workers should be given due importance because they are actually in the field. I am confining myself to the labour force because the labour is very much blamed in this industry. It is the workers who arc producing in the coal field and. therefore, the workers should be given due weightnge and their participation should be given more importance.

About modernisation, the hon. Minister has also said several times that gradually we are getting more sophisticated machineries for the purpose of modernisation in industries and also for getting more production. And there is a financial constraint also in that. Therefore, modernisation is also one of the vital factors for getting more production with the labour force which is existing.

Madam, the other important factor is about the reports submitted by the Eastern Coalfields. They have stated that there are 125 coal mines in the Eastern Coalfields and 25 coal mines are running at a loss. And they have given the opinion that those coal mines have to be closed. They have said that there is excess labour force, that excess labour force to the extent of 25, 000 is being employed there. They also want that modernisation should be made and the management should be reoriented.

Therefore, these factors have to be considered for he purpose of strengthening the coal sector and for having more production in the coalfields. With these observations, 1 conclude and I whole-heartedly support the Bill which has been presented by the hon. Minister.

STATEMENT BY PRIME MINISTER

Killings of innocent Bus passengers in Punjab on November 30, 1986

THE DEPUTY CHAIRMAN: The hon. Prime Minister will make a statement

SHRI MIRMAL CHATTERJEE (West Bengal): What is the clapping about?

THE PRIME MINISTER (SHRI RAJIV GANDHI): Madam Deputy Chairman, I thought 1 would just try to bring the House up-to-date with what has transpired with reference to what happened in Pnnab yesterday. Unfortunately because of the type of actions that are being token or have already been undertaken, it would not be prudent of me to bring everything into public knowledge at this stage. Perhaps we should wait one or two days and just see how things move.

J have had a very long meeting tod ly with both the Governor and the Chief Minister of Punjab and they have infomctl me of the number of steps that they had already initiated to counter the various things that have happened. Basically I see three different problems that have arisen in Punjab in the last couple of days. The most obvious one is that of the killings that took place on Sunday, perhups one of the most dastardly crimes, heinous crimes ft it we have seen in India. And I would I be to add my condolences and sympathies to those of this House that you expressed this morning. The second aspect of what trans-pired on Sunday was the election to the S. G. P. C. which in a sense brings us back. to square one us far as that is concerned 1 feel this is equally serious as a trend. And the third is perhaps an indicator of that trend and that is that one of the first acts done by the new SGPC was to remove the task force that has been built up in Temple to see that terrorists and extremists do not take hold of the Golden Ten and other gurudwaras. These three angles

have to he tackled differently and they have already initiated certain action. And it would not be right of me to reveal that action at this Stage, J would request the House to be patient and we will be able to come back fo the House, perhaps in 24 hours or 48 hours, when their action continues...

SHRI JASWANT SINGH (Rajasthan): How can we be patient with your incompetence ?

SHRI RAJIV GANDHI: The honourable Member may be aware that the Central Government does not have jurisdiction to interfere...

SHRI JASWANT SINGH: That is precisely the point about Central Government's competence. The point is in the face of such a grim tragedy, a challenge to the nation, a hree-and-a half-hour squibbling takes place over the interpretation of Sections 18, 5 (i), 5 (i) (b) and so on. Have ■we been wasting our time when the Act was passed ? Isn't it a reflection on the competence of this Government ? *(Interruptions)*

SHRI RAJIV GANDHI: I am not aware of it...

SHRI SAT PAUL MITTAL (Punjab): Wow dare you interrupt the Prime Minister when he is still speaking ? You must have the decency to listen to him first. *(Interruptions)*

SHRI RAJIV GANDHI: 1 am shocked by the ignounce of the honourable Member...

SHRI JASWANT SINGH: I am shocked by the assertion of the Prime Minister. •

SHRI RAJIV GANDHI: I would request the honourable Member to go and educate himsef...

SHRI JASWANT SINGH: You go and educate yourself... *(Interruption)*

SHRI RAJIV GANDHI: I am talking about your getting educated on the specific subject that you raised, not education in general...

SHRI CHATURANAN MISHRA (Bihar): Can we solve the problem this way ?

THE DEPUTY CHAIRMAN: May I request all Members to sit down? The honourable Prime Minister has not yet concluded.

SHRI ATAL HIHAR1 VAJPAYEE (Madhya Pradesh): If you have concluded. Mr. Prime Minister...

SHRI RAJIV GANDHI: No. I am not yielding the floor, Vajpayeeji.,..

THE DEPUTY CHAIRMAN; Let the Prime Minister complete his statement. I have not allowed anyone to speak... *(Interruptions)*

Let the Prime Minister first complete his statement. How can you all get up and interrupt like this ?

SHRI V. GOPALSAMY (Tamil Nadu): He should not have lost his temper lite this.

SHRI NIRMAL CHATTERJEE: (West Bengal): Madam, for the sake of the country...

THE DEPUTY CHAIRMAN: No. 1 am not allowing anybody. Please sit d>wn. The Prime Minister has not yet finished.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): This is a serious matter. I would request the Prime Minister to keep his cool.

(Interruptions)

THE DEPUTY CHAIRMAN: Please. * sit down. Nothing will go on record. No derogatory remarks will go on record.

SHRI RAJIV GANDHI: Madam Deputy Chairman, honourable Members will have all the time after this to put their questions and I-will respond to them. So, 1 would

[Shri Rajiv Gandhi] request them to please hear me out first before getting excited and jumping up and saying things. This Government goes by What is in the Constitution. The Constitution today does not allow lis to transgress into the law and order domain of the State Governments. You have given us powers from this very House under Article 249 of the Constitution of India. But, at the same time, there were certain limitations which were mutually agreed upon. We have been trying to work on those and there are certain difficulties in utilizing those powers under Article 249 because of cross-fires and cross-coatrols which can. take place. These ore being sorted out by the Home Ministry and as soon as they are sorted out, as we have been promising the Members, we will bring to trie House before applying it by an Ordinance. As long as we do not have those powers, this is the position. One Member raised the question whether we are arguing about the technicality of 18(1), 5(1), and 5(2). We are very clear on what we feel about it and I have promised Members in the other House that if there is any confusion about what 18(1) or 5(1) or 5(2) or 5(3) says, I am not totally competent to argue about the technicalities. Our Law Minister will invite them over to his Chamber and they can discuss it in depth and I have no doubt that he will be ! able to convince them that under the j TADA(P) Act or anti-terrofism 'Act, the Central Government does not have the) authority to interfere in the Jurisdiction of the State Government. This was like that because it was decided when we brought that Act in—I do not remember precisely what happened; but I think, if my memory serves me correctly—We had, from the Government side the option for the Central Government to intervene and, in the meeting with the leaders of the Opposition, we decided to opt for the option where there could not be intervention. I do not remember precisely what happened. But I think it was something like this. But, ultimately, ' we ended up with an Act which did not allow us to intervene directly into what happened in the State. We can keep on discus-ing 18(1) and its technicalities and we will only be wasting the time of the House like what the honourable Member said. We did not waste 3 1/2 hours in the Other House in discussing the technicalities.. You can actually check up the transcript and you will know exactly how much time was taken. Perhaps it is ten or fifteen minutes, But even these ten or fifteen minutes, I think, are a waste of the House's time on these matters of technicalities of this subclause or that sub-clause. These can be sorted out outside the House much easier and much better across the table.

This Government, acting under the powers that have been given to it by the Constitution, will see that under no circum-slunces are the integrity and the unity of the country reduced or threatened in any way. *{Interruptions).* Whatever action is necessary, however harsh that action is, this Government is willing to take. *(Interruption!, }.* But we-would like the normal democratic processes to run their course before we take harder and sterner measures. It would not be fair to cut short a democratic process if there is some life still left in that process.

Let me once again reassure this House that this Government will not be found wanting if harsh measures are required or a strong hand is required; we will act.
(interruptions).

THE DEPUTY CHAIRMAN: Now, Mr.Gurudas Das Gupta.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam Deputy Chairman, (he situation in Punjab is extremely serious and we share the national feelings aroused as. a result of the continued ghastly murders going on unabated there. No language, in my opinion, is strong enough to condemn all these happenings in Punjab. Therefore^

the point is that things have to be changed and the mass murders and massacres in 1 Punjab have to be ended once and for all | and also, Madam, the possible repercussion i of killings in Punjab in the other parts of the country has to be averted. There can I be no question of butchering democracy. ' We do not believe in it. Anything can happen by putting an end to the democratic practice, more precisely by throwing out the Barnala Government. We do not believe. by dismissing the Barnala Government any tangible result can be attained at the moment. Therefore, extremely valuable is the democratic process. And in that background things have to be discussed. There is the national responsibility, nationazl responsibility to put an and to it; and the national responsibility must be carried out. The Central Government has a responsibility in this regard. The national leadership of the Government and the country have a responsibility in this regard. The most important, point is that all those political par-ties who- would like to fight this fascist terrorism must be united. It is essential that all political forces who would like to fight these terrorist forces must be united, not only on the soil of Punjab but in the country as a whole. My question. Madam, Chairperson, is whether sufficient initiafive has been taken in that regard. That is the point. It 'is not a question of cries from this side or that side. It is not question of wasting the time also. It is a question whether enough initiative has been taken in that direction of having national consensus, national pressure, national public opinion, to put an end, once for all, to this violence, an unheard of violence, not only injurious for the health of Punjab but injurious for the health of the country, and which poses a threat to our country in the backround of imperialist manoeuvres inside and outside our country. Therefore, a national rapport has to be built up. My point is whether Mr. Prime Minister will kindly take that into consideration. It is not a question of going into legalistic complications about what you want to do and what not to do. It is a question whether that national initiative has been token on your behalf, on behalf of the national leadership. Is all that is rossible, that should have been possible, being done, or has been done? *(Time Sell rings)* Madam, I believe that we have been lacking in that direction.

Secondly, Madam, what is the advice of the Government of India to the Punjab Government. I know that everything can not b_e. divulged. But what is the advice? My party is second to none in fighting ter ra in We have lost 20 of our valuable comrade;. We have lost our lea ders. We have lostCoinrade Darshan Singh Canadian. Therefore, we are all with you in the fight against terrorism. But the point is; what has been your advice ? Because my party has put forth a suggestion that there should be mass resistance. You can not do everything with your police.

THE DEPUTY CHAIRMAN: Be brief.

SHRI GURU. DAS DAS GUPTA: Our 'suggested that there should be an all-party volunteer corps, with arms, to defend the ': to defend..... *(Time bell rings)* What is the Government reaction to it ?

THE DEPUTY CHAIRMAN: That's all. There. are many Members who want to be brief.

SHRI GURUDAS DAS GUPTA: Please do not interrupt. Madam ? I will Just con-The most important—another important point. Madam Chairperson- is the ion of building *up* an effective public opinion in Punjab. The people must come forward in streets, irrespective of party affiliations. There has to be an all-party demonstration; there has to be an all-party action. One is the formation of an armed volunteer corps. Another aspect is that people must come up with resistance. There must be the building up of public opinion.

[Shri Gurudas Das Gupta] The point is: have we gone in that direction ? It is not a question of democratic piocess; it is not a question about that. It is a question of national leadership. And the responsibility tests with, the national leaders. Has something been done in that direction ?

1 want to know categorically from the Prime Minister, in the background of the present developments, what is the concrete plan of action of the Government of India in this regard on the points I have asked ?

श्री अटल बिहारी वाजपेयी : महोदया, ऐसा लगता है कि केन्द्र सरकार अंधेरे में टटोल रही है और वह किंकर्तव्य विमूढ़ हो गई है कि क्या करना है, क्या नहीं करना। 24 घंटे हो गए, अभी तक फैसला नहीं हुआ है। प्रधान मंत्री जी कहते हैं केन्द्र को जूरिस्डिक्शन नहीं है। क्या यह सच नहीं है कि केन्द्र राज्य सरकार को डाइरेक्टिव दे सकता है? क्या संविधान में डाइरेक्टिव की व्यवस्था नहीं है? क्या पंजाब सरकार को कोई डाइरेक्टिव दिया गया है जिसका उसने पालन नहीं किया? वह डाइरेक्टिव क्या था, यह सदन जानना चाहेगा। दूसरी बात यह है कि बरनाला सरकार बहुमत में नहीं है, वह कांग्रेस पार्टी के समर्थन पर टिकी हुई है। केन्द्र कोई बात कहे और बरनाला सरकार न माने, इसकी तो कल्पना ही नहीं की जा सकती है।

आज जूरिस्डिक्शन का सवाल खड़ा किया जा रहा है। क्या केन्द्र को पंजाब में हस्तक्षेप करने का अधिकार नहीं है? आप करें या न करें, इस समय करें या बाद में करें, यह अलग पहलू है, लेकिन इस समय केन्द्र के जूरिस्डिक्शन का सवाल खड़ा करना और यह कहना कि हम कानूनी दांवपेंच में उलझे हैं, बहस कर रहे हैं, हास्यास्पद है।

प्रधान मंत्री महोदय, मैं आपसे कहना चाहता हूं कि हम लोग जो यहीं शान्त बैठे हुए हैं, हमें आपके ख्याल से बहुत ज्यादा शिक्षा की जरूरत है लेकिन इस देश को कैसे चलाना है, इसके लिए आपको भी शिक्षा की जरूरत है। ... (व्यवधान)

SHRI MADAN BHATTA (Nominated): *I* am on a point of order, Madam. *(Interruptions).* The hon. Member has said that the Constitution gives the power to the Centre to give instructions to the State Government in regard to the exercise of its own executive functions. That Section is Article 353 which says that while a proclamation of emergency is in operation...

SHRI CHATURANAN MISHRA: What the point of order ?

SHRI MADAN BHATIA: I am saying this because he is misleading the hon. House by misquoting the Con'stitutirtn. This power rests in the Centre only when there is a proclamation of emergency. There is no proclamation of emergency and they have gone to the extent of making it impossible for the Government of India to declare emergency under such circumstances by amending the Constitution. And today they talk about the directions by the Centre.

SHRIMATI RENUKA CHOWDHURY: (Andhra Pradesh): Why is he speaking? It is not a point of order. *(Interruptions).*

THE DEPUTY CHAIRMAN: The Prime Minister has already said that they are examining the various points of law about the jurisdiction of the Central Government and the State Government. So, there is no point in discussing that point here. Mr. Vajpayee.

श्री अटल बिहारी वाजपेयी : महोदया, प्रधान मंत्री जी ने कहा है कि आर्टिकिल 249 के अन्तर्गत इस सदन ने केन्द्र को जो अधिकार दिया था, उसको अमल में लाने में कुछ कठिनाइयां पैदा हो रही हैं, कुछ सीमाएं लगा दी गई हैं। मैं जानना चाहता हूं कि ये सीमाएं किसने लगाई हैं? क्या इस सदन ने सरकार को कहा है कि आर्टिकल 249 के अन्तर्गत जो प्रस्ताव पास किया गया, उसके अंतर्गत अब आपको विधेयक लाने में विलम्ब

करना चाहिए? विधेयक तो केन्द्र सरकार को लाना था। उसे लाने में क्यों देर हुई? तीन महीने बीत गये। जब वह प्रस्ताव लाया गया था तो बड़ा गर्मागर्म भाषण किया था श्री बूटा सिंह जी ने और विरोधी दलों की देशभक्ति को ललकारा था और हमें कठघरे में खड़ा करने की कोशिश की थी। अब इस देरी के लिए कौन जिम्मेदार है? इसमें कौन सी कठिनाई है यह मैं प्रधान मंत्री जी से पूछना चाहता हूं। आर्टीकिल 249 के अन्तर्गत सदन में जो प्रस्ताव पास किया गया था उसके अनुसार कानून बनाने में केन्द्र के सामने कौन सी कठिनाई है? सिवाय इसके कि राजनीतिक कठिनाई है। बरनाला साहब नहीं मानते तो बरनाला साहब को जाना होगा। अगर केन्द्र का हस्तक्षेप आवश्यक है तो केन्द्र को हस्तक्षेप करना होगा । सहानुभूति प्रकट करके रोज-रोज जो लोग मारे जा रहे हैं तो उसके घरवालों के आंसू नहीं पोंछे जा सकते। यह सरकार कठघरे में खड़ी है। एक-एक व्यक्ति की जान के जाने का आपको जवाब देना होगा । प्रधान मंत्री जी का जवाब बड़ा निराशाजनक है।

There is no Punjab policy. There is drift, drift, drift

SHRI V. GOPALSAMY: Madam Deputy Chairman, I strongly condemn the terrorist menace in no uncertain terms. But, I would requpest the Prime Minister.. (*Interruptions)* Without listening to me you presume that I am going to say something against your Prime Minister. I cannot request you. I have to request him because he is the Prime Minister. I would request the Prime Minister not to fall a prey, not to yield to the pressure of some quarters putting the demand to dismiss the Barnala Government. Yes, I condemn the terrorists. 24 innocent passengers have been killed. As I said in the morning, no consolation is going to wipe the tears of the bereaved families. But my point is this: Will it solve the problems if you dissolve the Barnala Government ? Will it bring peace ? No. What happened earlier ? Is it not a fact that the killings were there even before Mr. Barnala took the reins of the Government ? Is it not a. fact that Mr. Barnala lost his leader, Sant Longowal, who came here to sign the Accord? And he paid a heavy price laying down bis life ? Is it not a fact that Lalit Maken was killed under the very nose of the Government here in Delhi? Is it not a fact that the greatest tragedy of the century took place when Madam Gandhi was killed here ? Now, 24 passengers were killed. I condemn it. Mr. Barnala has also condemned this incident, and he has condemned the terrorists. He is second to none in condemning the terrorists. My point is that there were killings even before Mr. Barnala took the reins of the Government. Of course, after the Muktsar massacre, this is the second one. May I ask the question whether any security arrangements have been made in the passenger buses ? That should have been done. That is a small point on which I want to seek a clarification- from the Government. But the thrust of my point is that you should not yield to the pressure. You will be caught in the quagmire. That will boomerang.

Mr. Barnala has got a clear mandate from the people. Our Prime Minister is correct when he said that at present we have no jurisdiction, we do not want to interfere at the present moment. We are having the powers. Of course, the Constitution has given the Emergency powers. But we should not yield to the pressure of certain quarters. They are elected by a mandate given by the people. If the Government is thrown out, then a serious situation may arise. We should not take this plea because my point is, if they are telling that there was peace prevailing before Barnala government took over and only after he took over the reins of the Government this sort of terrorist activity is going on every day, that is not true. Therefore, I request the Government to act very cautiously. At

[Shri V. Gopalsamy] the same time, I support Mr. Vajpayee when he stated in the morning that all the political parties cutting cross party lines they should join together to fight this terrorist menace. I support that but not in this way. Therefore, Madam, ' I request the Government once against to consider it. And, at the same time I cannot suggest anything to our great Prime Minister.

But as a Member of this House may I take the right or may I have the privilege of suggesting one thing that when Members get agitated over an issue, when Members get agitated when something grave takes place, they get agitated, but I think our hon. Prime Minister should not get agitated and should not have lost his temper. That is my request. That is my humble submission. I can extend all our support and solidarity to our Government *to* fight the terrorist menage but dislodging or dismissing the Barnala Government will put you into a quagmire. That is the warning I am giving you.

SHRI PARVATHANENI UPENDRA: Madam Deputy Chairman, my party vehe-mentaly condemns the depredations of the extremists which resulted in the brutal killing of 24 innocent people yesterday. But I am surprised that the Prime Minister had tried to take cover under the legal provisions stating that it is a State subject and that law and order is a State subject.

But, Madam, we all know the situation in Punjab is not merely a law and order problem. Had it been so, this House would not have discussed the subject in every session and special laws would not have been passed for tackling the situation in Punjab. While disruptive forces, secessionist forces, with the connivance of foreign powers, are trying to undermine the unity and integrity of this nation, you cannot escape your responsibility by just throwing it on the Punjab Government saying that it is a law and order problem and hence a State subject. This is a national problem and it has to be tackled like that and all of us are equally concerned over the matter whether it is in the jurisdiction of the State Government or the Central Government. Therefore, I am very amazed that the Prime Minister has tried to shift the responsibility on to the State Government. You cannot do that.

SHRI RAJIV GANDHI: May I just ask one question, Madam ? The hon. Member may like to inform me as to how he would like us to intervene in the law and order aspect ?

SHRI PARVATHANENI UPENDRA: The Prime Minister has put a right question. I was about to refer to that.

Madam, the Constitution in articles 256 and 257 has given ample power to the Central Government to give directives to the State Government, not only in case of an emergency, but even otherwise in certain matters and also.. (*Interruptions)*

SHRI ATAL B1HARI VAJPAYEE: May I know whether the Prime Minister has read that article(*Interruptions).*

AN HON. MEMBER: Yes, you need to be Educated.

SHRI PARVATHANENI UPENDRA: "The evecutive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State and the executive power of the Union shall- extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose. "

SHRI RAJIV GANDHI: Can I just comment on this particular point ? It says as f understand...

SHRI RAJIV GANDHI: As I under-1 am going to refer to something else.

SHRI RAJIV GANDHI: As I understand this, this refers very clearly to State not abiding by the law. That means that if a State does not abide by a law. then

we can give it a direction to abide fay the Jaw. This does not say that we can go into the jurisdiction of the State as listed under List If.

THE MINISTER OF ENERGY (SHRI VASANT SATHE): Now, Vajpayeeji should read that.

SHRI RAJIV GANDHI: Perhaps, the hon. Member is a little more educated on this.

SHRI ATAL BIHARI VAJPAYEE: How can there be a State which is not prepared to abide by the law ?

SHRI VASANT SATHE: I think Vajpayeeji should read that in Hindi; then he will understand that better.

SHRI ATAL BIHARI VAJPAYEE: And the Prime Minister thinks that he is *expert* on English ?

श्री राजीव गांधी : आपसे तो खैर थोड़ा ज्यादा जानते होंगे।

SHRI ATAL BIHARI VAJPAYEE: Why Mr. Sathe brought in 'Hindi' ?

हिन्दी की बात क्यों लाये? . . . (व्यवधान)

श्री बसंत साठे : आप शिक्षा. . . . . (व्यवधान). . . .

श्री अटल बिहारी वाजपेयी : शिक्षा की बात प्रधानमंत्री ने शुरू की (व्यवधान. . .)

श्री बसंत साठे : आपसे शिक्षा लेने की नौबत अभी नहीं आई है. . . (व्यवधान). . .

वह जब आयेगी तब देखा जायेगा। . . . (व्यवधान) . . .

THE - DEPUTY CHAIRMAN: Please sit down; I am on my legs. Nobody is allowed. I would like to urge the Members; you are drifting from the main important issue, and this is not the time when you should drag yourself into this conversation about Hindi and English. Let Mr. Upendra continue.

SHRI PARVATHANENI UPENDRA: Secondly, this Parliament passed last year the Terrorist and Disruptive Activities (Prevention) Bill, and according to that, -the Central Government can intervene in the State where necessary. So far, the Centre has not even thought of taking action. They have not even framed rules under the Act passed already.

SOME HON. MEMBERS: Who says ?

SHRI PARVATHANENI UPENDRA: I say. Therefore, my first question....

SHRI N. K. P. SALVE: Which is the non-compliance to which you want him to give directives ? Spell out the non-compliance... *(Interruptions).*

SHRI PARVATHANENI UPENDRA: You are not allowing me to complete. Thirdly, the Centre is active in dealing with law and order situation in Punjab. The (Governor is active; the Chief Minister is being called regularly for discussions. They have sent Director General of Police, a man of their choice from Maharashtra, who is in overall control of the situation there. All the necessary powers, infras-tructural facilities have been provided to deal with the situation. I want to know from the Prime Minister what you wanted the Barnala Government to do and where they have failed ? What instructions have you given which they flouted ? What direp-tives have you given which they have not honoured ? That is my first question, and that is very vital because whenever you think of an alternative arrangement or think, of serious alternatives, you must first answer this question. What was that you wanted the Barnala Government to do which they have refused to do ? Secondly, we have-all along been discussing law and order situation here. We are from day-today dealing with one incident after another. So far, either Mr. Barnala or the Prime Minister, has not come forward with their plan for a political solution to this problem, a permanent solution. How do you want

[Shri Parvathaneni Upendra]

to deal with it politically ? If it is merely j the law and order question, we wil continue to deal with it and express our sympathies whenever such incidents take place I had put the same question to Mr. Barnala and asked him how you are dealing with it politically. He had no answer. And the Prime Minister, 1 am sure, has no answer; otherwise... *(Interruptions)*... The Prime Minister has to tell this House how he is going to tackle this issue politically deal with the matter in its fundamentals ?

SHRI KAMALENDU BHATTACHARJEE (Assam): How about the situation in Andhra ?... (*Interruptions).*

SHRI PARVATHANENI UPENDRA: Please do hot compare Andhra with this. If you want to discuss about Andhra, I am prepared for it. Please do not bring in irrelevant things. This is a -very serious matter. Let us discuss it seriously. *{Interruptions)*

SHRI RAJIV GANDHI: Do not call Andhra irrelevant.

{Interruptions)

SHRI PARVATHANENI UPENDRA: We have to go into the genesis of this crisis. So far, we have not at all made any attempt to tackle the situation politically. As Mr. Vajpayee has said, the Prime Minister has hinted that within the next two or three days, the Government is going to take some action. But he does not want to spell it now. I would like to utter a word of caution here. We have bungled on this issue from the beginning, at every stage. If you think that by dismisssing the Barnala Goverment, you will be able to solve the problem, you will be committing another mistake, because.... *(Interruptions)* Please allow me to speak. President's Rule is no alternative because during the earlier President's Rule only the situation in Punjab, the Punjab issue, became complex. Was it not during the President's Rule that so many of arms were smuggled into the Golden Temple ? Was it not during the President's Rule that Bhindran-wale was built up ? Was it not during the President's Rule that so many incidents, took place ? Was it not during the Congress rule that the situation became so complex ? If you think that President's Rule will solve the problem, you are mistaken. It will only bring the Centre directly in conflict. Once you do that.... *(Interruptions)* Please allow me to speak. Today, Mr. Barnala is a buffer. If you remove that buffer, it will bring the Centre directly in conflict with the terrorists and you will have to face the consequences, worse consequences. This should not be allowed to happen *{Interruptions)* The Prime Minister has said that the democratic process will be allowed to run. I am happy about that assurance. But he should categorically say that he has no such intention of dismissing the Barnala Government, which is a popularly-elected Government and that he will give all-out support to the State Government to tackle the situation. Lastly, I would like to know from the Prime Minister whether he is prepared to call a round-table conference of all the political parties and interested people to discuss this issue threadbare, take the advice of all the parties and come conclusion.

(उत्तर प्रदेश)

श्री राम नरेश कुशवाहा : माननीय उप-सभापति महोदय, मैं आतंकवादियों की गति-विधियों को देखते हुए, गुंडों और बदमाशों, चोर-उच्चकों को देखते हुए, साम्प्रदायिक गिरोहों के बढ़ते हुए आतंक को देखते हुए माननीय प्रधान मंत्री जी से यह जानना चाहूंगा कि सरकारी तंत्र में चाहे आपने जितना इन्तजाम किया है उसमें जो सफलता-असफलता आपको मिली है वह सबके सामने है लेकिन क्या आपने जनता के स्तर पर भी इससे निबटने के लिए कोई योजना बनाई है? मैं आपसे कहना चाहता हूं कि जब हम लोग छोटे छोटे थे हमारे बचपन में कभी डकैतियां नहीं होती

थीं (व्यवधान) अगर आदत नहीं है सुनने की तो बेमतलब हल्ला मत कीजिये। माननीय, इसलिए डकैतियां नहीं होती थीं कि जो हथियार चोरों और डाकुओं के पास रहते थे वही हथियार गांव में थे लाठी भाला और बरछा इत्यादि लेकिन आज डाकू जाते हैं, आतंकवादी जाते हैं, चोर-उचक्के, गुंडे जाते हैं राइफल लेकर मशीनगन लेकर कारबाइन लेकर बम और बढ़िया हथियार लेकर और किसी आम नागरिक के पास कोई हथियार नहीं है। अगर उसकी बिरादरी का थानेदार नहीं है तो सब्जी काटने की चार इंच की छुरी भी नहीं है, सांप मारने के लिए लाठी-भाला भी नहीं है क्या आम जनता नहत्नी और ब्लेड से आतंकवादियों, चोरों उच्चकों, माफिया गिरोहों का मुकाबला करेगी। मेरा आपसे नम्र निवेदन है कि लाइसेंस आप दे दें। लाइसेंस भी मिलता है 75 नहीं, 90 परसेंट गुंडों को। भले आदमी को 25 परसेंट लाइसेंस भी नहीं मिलता है। जहां तक अवैध हथियार का प्रश्न है आप अवैध हथियारों को रोक नहीं सकते हैं। हमारी भी सरकार बन जाए तो भी हम नहीं रोक पाएंगे। मेरा कहना यह है कि जितने हथियार गांव में बन सकें लोहार बना सके सब को फ्री कर दीजिए दो चार रुपये लाइसेंस फीस लेकर फ्री कर दीजिए ताकि लोग अपनी रक्षा का उपाय खुद करें।

7 P.M.

24 आदमी बस में मारे गये।

उपसभापति : आपका जो पाइंट आप क्लैरिफिकेशन हो वही पूछिए, सिचुएशन ज्यादा सीरियस करने की बात मत बताइये।

श्री राम नरेश कुशवाहा : मुझे पाइंट पर आने दीजिए। आपने बस के लोगों की सुरक्षा का इंतजाम किया या नहीं लेकिन पूरी बस के लोगों को 4 आतंकवादियों ने खड़ा करके मार डाला। अगर वे लोग निहत्थे न होते तो क्या उनमें से कोई भी प्रतिरोध के लिए नहीं आता। इसलिए मेरा आपसे नम्र निवेदन है कि आप गांव में और व्यक्तियों में शक्ति संतुलन के उपायों पर सोचिए। अगर आप ऐसा कर देते हैं तो हिम्मत नहीं पड़ेगी किसी गुंडे की चौराहे पर हथियार चलाने की क्योंकि उसको पता नहीं चलेगा कि कितने लोगों के पास चौराहे पर हथियार हैं। मैं इधर चला रहा हूं तो मेरे ऊपर कोई नहीं चलाएगा। गांव में डकैत नहीं जायेंगे डर के मारे, हरिजनों की झोंपड़ियां नहीं फूंकी जायेंगी क्योंकि उसे पता नहीं है कि हथियार कहां हैं और कहां नहीं है और इस सारे आतंकवाद और गुंडई से जब जनता जल्दी से जल्दी निपटने के लिए तैयार हो जायेगी तो उससे निपट लेगी लेकिन चूंकि गरीबों को सताना छोड़ने वाले लोग नहीं हैं ये आतंकवादी और उनके समर्थक, माफिया और उनके समर्थक, इसलिए एक तरफा हथियार गुंडों और बदमाशों को मिल रहे हैं, 10 परसेंट भी भले आदमियों को नहीं मिल पाते हैं और अवैध हथियारों से ही सारे अपराध होते हैं तथा सब लोग रखे हुए हैं। तो क्यों आप गरीबों को सता रहे हैं? क्या आप यह बात सोचने के लिए तैयार हैं कि आम जनता को सशस्त्र करके उनको छोड़ दिया जाये आतंकवादियों से लड़ने के लिए। वे अच्छी तरह से समझते हैं कि वे कहां हैं। आम लोग जानते हैं कि कौन आतंकवादी है कौन चोर है। कौन डाकू है, कौन किसका कत्ल करना चाहता है और वे लोग उससे निपट लेंगे। लेकिन आप उनको अगर सक्षम बनाएंगे तब। क्या माननीय प्रधान मंत्री जी इसके लिए तैयार हैं? लोगों की व्यक्तिगत सुरक्षा कराने के लिए और सुविधा देने के लिए तैयार है। अगर आप ऐसा कर सकें तो आतंकवादियों से निपटने के सारे तरीके आप दुरुस्त कर लेंगे और निपट लेंगे वरना मेरी समझ से कोई दूसरा रास्ता नहीं है।

SHRI SUKOMAL SEN (West Bengal): Madam, I rise with a heavy heart.

THE DEPUTY CHAIRMAN: Please be brief.

SHRI SUKOMAL SEN: I have just i started. I will be brief.

[Shri Sukomal Sen]

Practically, our anguish knows no bounds at this dastardly murder of so many innocent people, but the problem is, how to solve it. In this House so many times we have debated, discussed and made hot exchanges against each other on this issue, but where is the solution ? I feel, my party feels, that there is no shortcut solution to this great problem. It is not the question of 8 hours or 12 hours or 24 hours, the question is to solve the problem politically, to face the problem politically. It is not this murder only that has taken place. Previously also similar murder had taken place in Muktsar. In Punjab this is happening every day. For the last two to three years this has been happening there. And it has not been happening in Punjab alone, but in various parts of the country. Look at the North Eastern region. What is happening there ? There also innocent people are being butchered. Look at Delhi. Here also innocent people are being but-chared. In various parts of the country innocent people are being butchered, whether it is Punjab, Delhi or elsewhere, and we are sorry for that. Our heart bleeds for that, but what is the solution ? I feel the responsibility mainly lies on the Central Government. Why ? The point is, in Punjab it is the religious divide. The Khalis-tan is, the terrorists are basing on some religious platform. Some are religious divides, some are tribal divides, some are ethnic divides while others are linguistic divides. All these divisions are taking place in this country and I charge that our ruling party at the Centre is mainly responsible for this sort of disintegration that is taking place in our country. They are aligning themselves with a religious group here and with as ethnic group there. They are aligning themselves with a linguistic group here and with some other group elsewhere for petty electoral and political gains. In this way, they are encouraging divisive forces. These divisive forces are gaining strength and they are given indulgence by the ruling party and the Government at the Centre.

At the same time, a question has been raised about intervention by the Centre in Punjab. My party strongly opposes any sort of Central intervention in Punjab either directly or under article 249. With the Central intervention, will the CRPF, police and army solve the problem of Punjab ? The solution of the problem lies in a political solution. Two years back when Mr. Rajiv Gandhi became the Prime Minister, he signed an accord with Sant Longowal. Sant Longowal had to lay down his life for this accord. I would like to ask the Prime Minister what prevented him from implementing that accord—the political part of the accord—during the last two years ? *(Interruptions)*

श्री सत्यपाल मलिक : इसका इससे कोई ताल्लुक नहीं है। (व्यवधान) सरकार ने स्थिति को काबू करने के लिए सब कुछ किया है, . . . (व्यवधान)

SHRI SUKOMAL SEN: What prevented him ? Please be silent.

(Interruptions)

The DEPUTY CHAIRMAN: Please do not make irrelevant remarks.

SHRI SUKOMAL SEN: I would like to ask the Prime Minister what prevented him in handing over Chandigarh to Punjab, in solving the border dispute ? Was it not the fear that they will lose elections in Haryana ?

SHRI SAT PAUL MITTAL: You think this accord is one-sided only.

SHRI SUKOMAL SEN: This had led to a grave situation in Punjab. Unless and until the political part of Punjab Accord is implemented, the Punjab problem cannot be solved, these murders cannot be stopped. I would request the Government to immediately take steps for implementing

the political part of Punjab Accord. No amount of shouting, no amount of jibes and sarcasm, no amount of mockery is going to solve this problem. It is time Government should pay proper heed to it, proper attention to it, forgetting cheap political advantage, cheap electoral advantage and try to solve the problem seriously. At the same time, I would like the Government—the Prime Minister is here—to immediately convene an all-party meeting. It is necessary; time has come; it is high time all political forces should combine together to fight these divisive, separatist forces, and the Prime Minister should convene an all-party meeting, so that all political forces can be harnessed to fight this menace in a determined way. I would like that this Accord should be implemented and at the 6ame time those political forces should be harnessed and they are united. I hope this menace we can fight, but at the same time I again reiterate that no amount of intervention in Punjab is going to solve this problem.

SHRI M. S. GURUPADASWAMY (Karnataka): Madam Deputy Chairman, a desperate situation should not lead us to desperate remedies. The situation in Punjab is desperate, but while dealing with a desperate situation, under pressure, under strain or under compulsion, we should not resort to desperate means. This is my counsel that I would like to share with my colleagues in this House. All along it is *my* feeling that we are muddling through in the case of Punjab. I do not like to blame anybody. Somehow or other for the last three-four years we have been muddling through. We have not been able to find our way, we have not been able to arrive at a correct solution. We have failed to grapple with the problem.

1 totally disagree with my colleague, Mr. Vajpayee. Central intervention, President's rule or declaration of emergency are not a solution to the situation in Punjab. They are desperate remedies.. It is not also correct to think about Punjab as a law and order question, as some of my friends have put it. The Prime Minister will agree with me that is not a law and order problem. If it had been so, it could have been solved by now. The very fact that it is not solved through police machinery, through Government action alone, is enough to convince us of the fact that it is not a simple law and order question. It is more than that. It involves lakhs and lakhs of people. I say this because, over a period of time a curious psychology has been created among the masses in Punjab, and also in other areas, suggesting that it is not confined to a few people, it is not confined to a few agencies. What is required at the present juncture is, we should not make Barnala a scapegoat. Barnala Government is there. His Government may be weak, may not be strong, may be vacillating or. may not be vacillating. His Government is there, he is facing the problem there. It is not wise, not correct, to dismantle this Government on the plea that it has not been able to face the situation there. Therefore, remedies have got to be thought of elsewhere. Firstly, you must strengthen his Government. There is no question of dismissing his Government.

SHRI SAT PAUL MITTAL: Is he presenting his party's case, because his President is reported to have said that the Barnala Government must be dismissed for incompetence ? I simply want to seek a clarification from the Member if he is representing his party or he is representing himself... *(Interruptions)...*

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Mr. Gurupadaswamy is a Member of the Rajya Sabha.

SHRI M. S. GURUPADASWAMY: I am speaking as the leader of my party here in Rajya Sabha... *(Interruptions)...* You yourself said this problem cuts across parties. Am I right ?

SHRI SAT PAUL MITTAL: Your Pre- ident is saying something else.

SHRI M. S. |GURUPADASWAMY: May I proceed ? I would like the Barnala Government to be strengthened and, if I may be allowed to say so, we should all sit together and find out whether an all-party Government can be set up in Punjab.

AN HON. MEMBER: Including terrorists ?

SHRI M. S. GURUPADASWAMY: I said, "All parties. " (*Interruptions)*

SHRI V. GOPALASAMY: Are you seriously hearing his speech or not ? You should be educated first.

SHRI PARVATHANENI UPENDRA: am on a point of order.

SHRI V. GOPALSAMY: They are joking.

SHRIMATI RENUKA CHOWDHURY: When Mr. Gurupadaswamy said, "All parties", they say, "including terrorists. " Is it a matter to be ridiculed ? *(Interruptions).*

THE DEPUTY CHAIRMAN: I have not allowed anybody to speak. Please sit down.

SHRI PARVATHANENI UPENDRA: A point of order.

THE DEPUTY CHAIRMAN: No.

SHRI PARVATHANENI UPENDRA: Please listen. How do you know what I am going to say ?

THE DEPUTY CHAIRMAN: No. Please sit down. Mr. Gurupadaswamy, please conclude.

SHRI M. S. GURUPADASWAMY: The hon. Member has got a right to intervene. But I never expect this kind of intervention on. a serious matter like this.

THE DEPUTY CHAIRMAN: You don't make remarks like this.

SHRI M. S. GURUPADASWAMY: I suggest that we should think of an all-party government in Punjab because I feel this is not a party matter which my friends themselves agree. This is an all-party matter involving the State of Punjab, involving the unity and integrity of this country.

AN HON. MEMBER: What is your suggestion ?

SHRI PARVATHANENI UPENDRA: He says: "All-party government. "

SHRI M. S. |GURUPADASWAMY: An All-party government, I am asking him whether he can agree on this. You can think of that. What more ? I think I am
speaking English.

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. S. GURUPADASWAMY: Madam, next, I would like the Government to think of forming an all-party front at popular level, whether an all-party front can be set up at all places at all levels, consisting of all political parties. This can also be considered.

SHRI. V. GOPALSAMY: At the Centre also 7

SHRI M. S. GURUPADASWAMY: Lastly, it is very important... *(lnterrup~ lions)*

THE DEPUTY CHAIRMAN: No remarks in between please.

SHRI M. S. GURUPADASWAMY: I would like the Prime Minister to ponder over this question. I have been hearing off and on here that the Punjab accord is a package agreement. So, a piecemeal approach, piecemeal implementation is not possible. That has been the Prime Minister's argument in the past. I would like him to correct me if I am wrong. That is what I have understood. He has been saying that the accord is only one package, it cannot be split up. The other day when I spoke, I raised this issue, whether the

accord can be implemented partially, whether Chandigarh can be transferred immediately and 45, 000 hectares of land which has been demarcated, can be transferred to a Haryana, to begin with, *(Interruptions)*

THE, DEPUTY CHAIRMAN: Please finish now.

SHRI M. S. GURUPADASWAMY: Why you are so restive ? I do not understand. The rest of the accord...

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. S. GURUPADASWAMY: Do yon want my conclusion or you want me to make some suggestions here ? I am in *the* midst of giving my suggestions.

THE DEPUTY CHAIRMAN: You have exceeded your time.

SHRI M. S. GURUPADASWAMY: Are you interested in hearing, my suggestions ?

THE DEPUTY CHAIRMAN: I have given you enough time. You have to say something on Punjab also.

SHRI M. S. GURUPADASWAMY: I am concluding. I am raising these issues with the Prime Minister. This is an important discussion.

May I know from the Prime Minister whether he can think on these lines and implement the accord piecemeal, if it is possible, if it is acceptable to the Punjab Governminent ?

Lastly, Madam, there are sores and sores which have created difficulties in creating a right kind of atmosphere in Delhi itself. *(Interruptions)*

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): They have concluded that nothing is possible.

SHRI M. S. GURUPADASWAMY: I think you are not serious. Mr. Prime Minister, please keep a check on your flock.

उपसभापति : मैं आप सबसे रिक्वेस्ट करूंगी, आप बीच में कोई मत बोलिये। वे खतम करने पर आते हैं, आप बोल देते हैं और वे और टाइम ले लेते हैं। आप कृपया बीच में मत बोलिये।

SHRI M. S. GURUPADASWAMY: Let me speak to the Prime Minister, not to others; I do not want to speak to others but to the Prime Minister.

SHRI RAOOF VALIULLAH (Gujarat): you are addressing the House.

SHRI M. S. GURUPADASWAMY: finally, I would say that the 1984 riot victims in Delhi who have been living in camps have not been rehabilitated. Their homes have been taken away from them and they have not been sent back. May I know from the Prime Minister...

THE DEPUTY CHAIRMAN: Please conclude.

SHRI M. S. GURUPADASAMY: I am not making any nonsensical suggestion here. I would like the Prime Minister to tell us whether he is prepared to see that the November 1984 riot victims are rehabilitated and. their homes are restored to them.

SHRI GHULAM RASDOL MATTO: (Jammu and Kashmir): Madam, our party has not been given a chance.

THE DEPUTY CHAIRMAN: Your name has not been given here. No requisition was made.

SHRI VIRENDRA VERMA (Uttar Pradesh): Madam, I wanted two minutes to. speak.

THE DEPUTY CHAIRMAN: No from your Party Shri Kushawaha has spoken. None from the Congress (I) has spoken. Only Shri Salve will seek a brief clarification.

SHRIMAT1 RENUKA CHOWDHURY: I will take only two minutes. I would like

[Shrimati Renuka Chowdhury] to speak on behalf of the women. There are two women involved. I am serious, madam. Some members are casting aspirations on the severely of the situation. I am sorry to say that it is not a matter to be taken lightly. They are making mockery of this august House. Not once, but a number of times we have expressed that we want unity of the country. Let us forge a unity, because this problem is ours, of the nation as a whole.

THE DEPUTY CHAIRMAN: Everybody knows that. Please sit down.

SHRI N. K. P. SALVE: (Maharashtra): I will take only two minutes and finish. There has been some discourse and some views have been expressed on the Constitutional law which has led me to seek clarification. With the Law Minister Asoke Sen sitting on the right of the Prime Minister. I know I should not tread where angles would have feared to tread in the realm Of the Constitutional Law or assume authority in the matter, but some confusion has been created. Therefore, from the Law Minister sitting on the side of the Prime Minister I want one categorical clarification. My question to the hon. Law Minister is without subverting democratic processes prescribed in the Constitution to deal with the situation such as the one that exists in Punjab and without dismissing the Barnala Government, are there provisions in the Constitution to enable effective intervention to which the hon. Prime Minister has referred to just now, by the Union in the Punjab; and if not, will he get the Constitution amended in this session itself. This is the clarification I am seeking.

SHRI RAJIV GANDHI: Madam,. 1 would like to thank all the Opposition Members for the valuable suggestions that they have given me.

Perhaps the most important suggestion that has come is that on such an issue we should all unite and combine and work together.

One of the suggestions for uniting and combining is to form a multi-party armed voluntary corps. I think this would be a highly dangerous thing. I do not think we can accept this. It will really be the giving up of all law and order and going back to anarchy. It will be like the Westerns that we used to see and surely that is not what we are looking for. What we want is a law and order machinery that ensures security for the people. That is how we must work at it and not try to reverse the coin and try to look for temporary solutions which in fact, cause graver problems viewed in a longer term perspective. While almost all the Members said that we must combine and work together...

SHRI GHULAM RASOOL MATTO: Except BJP.

SHRI RAJIV GANDHI: While many Members said that we must combine and work together, I find from the suggestions that if I take their suggestions either I do nothing or I do everything. One Member said intervene. Another Member said do not intervene. One Member said use article 249. Another Member said do not use article 249. One Member said directives are there. The other Member said do not use the directives.

SHRI PARVATHANENI UPENDRA: Nobody said that. On this point you are wrong.

SHRI RAJIV GANDHI: Some Members have said. So the fact is that there is a total diversity of opinion. I am not trying to criticise anyone. But I am just trying to say that there is a total diversity of opinion amongst the Members of the Opposition in this House. So there is no simple straightforward answer that we might be looking for.

' Let me first reiterate on some of the points that have come up. Firstly, when a

Resolution on article 249 was passed, many) Members in this House opposed it. Then they insisted and we agreed to an undertaking that we would not apply article 249 without first consulting the State Governments and the Chief Ministers that are in-[1] volved. It was an undertaking that we gave to the House. Now, we have been in touch with the Chief Minister. We have been trying to work out things ourselves as to how these problems can be worked out—the problems that he puts in front of us on article 249. We have | not been able to come to a satisfactory j solution. This is what I have tried to say | in my opening intervention. We would not like to go back on that undertaking which ' we gave to this House. We would like to take the Members into confidence and do it. Like I have said, towards the end of last session, in case We do come to some solutions O with the Chief Minister in the recess period, we will call the Members of the Opposition over and discuss what we are about to do. Then only we will go ahead. If we feel that the situation is really bad that we must do it within so many hours for whatever reasons, then, we will call them after we have taken that action. But preferably the course of action will be to call the Members talk with them and settle with the Chief Minister and do it like that.

On intervention and on directives we are ve clear that there is no way that we can intervene give directives as long as there is an elected Sta Government and without dislodging th Government. I do not want to go into the technicalities of the argument.

Article 256 was quoted. I can read it out. To me it is very clear what it means. But I would request the hon. Members to allow me, instead of wasting the time of the House I would request the Law Minister to invite these two Members who raised this subject to his chamber and discuss with them and explain to them what our point of view is and what the Government point of view is on that particular clause. I have no doubt that they will stand better Informed and more knowledgeable about the particular clause in the Constitution.

PROF. C. LAKSHMANNA (Andhra Pradesh): None-the-less- a class.

SHRI RAJIV GANDHI: Private tutorial.

एक सदस्य ने कहा था कि वह हमें देश चलाना सिखा सकते हैं। बहुत खुश होंगे हम अगर वे हमें सिखायेंगे। लेकिन अगर हम उनके रास्ते पर चलेंगे तो हम भी उनके साथ बैठे हुए होंगे। तो सीख तो हम जरूर लेंगे, लेकिन शायद उसे इस्तेमाल नहीं करेंगे।

Member talked about Article 256 and Article 18(1). Again, the samething. 1 do not want to go into details. I have gone into details in the Lok Sabha. The Law Minister can talk to the hon. Member and sort that out. To us, it is very clear that there is no way which allows us to intervene in a State and the reason is that it is not there because it is not intended to be there in the first. When we brought that law, that act, it was clear that we did not want to subvert the constitutional rights of the State Government and that is why, we kept it so that we could not intervene. Now, if the House is of the view that we should intervene, well, we can bring it back for review of the two Houses and what the opinion of the two Houses is on it ?

One Member raised a question about multi-party Government. But it is hardly for me, here in the Parliament to talk about multi-party Government in a State. It is, firstly for the Governor to decide that there is no Government which can run. If the Governor decides that, then he can decide that there is need for all party Government. But if the Governor feels that there is a Government which is running, then it is for the Governor, we cannot intervene

[Shri Rajiv Gandhi] or interfere in that. I, as President of the Congress (I) will say that the Congress (I) will support any all party Government which does not include communal elements. One of the problems that occured on Sunday and I think, this point, must be brought home very clearly to every one. I think Members are aware that this part of Punjab where this incident occured is a part where zones have been divided up into sectors and police operates sectorwise and it has been a fairly effective way of operating for the police, I am told. Unfortunately, on Sunday, a particular communal organisation was holding either a rally or a meeting in Jalandhar, I think, it was Jalandhar and the police had to be withdrawn from this area to look after that particular function and it was felt that full strength that should have been there was not available, otherwise, perhaps, I do not say that it would have been, perhaps, the incident could have been averted. Now, the important lesson here is that one type of communalism can only lead to another type of communalism and the way to fight communalism is by not to be communal and to abhor communalism of all types.

There was some confusion about what stand a particular party was taking and the hon. Member said that it cut across all parties. I agree, such an issue cuts across all parties but it seems to cut through only one party.

There is one more point raised and I think that was on the accord and I think, I should clarify this although it does not relate directly to the question. Well, one specific question is the accord a package or is it loss of individual path ? It is a little bit of both actually. It is not a package as I hold. That means 1 to 1 i clauses. 1 do not remember the exact number. 11 clauses are not a package in themselves that we must have all 11 simultaneously J but each clause in it itself is a package. You cannot say that 7(a) will happen and 7(b) will not happen, 7(c) will happen and 7(d) will not happen. That we cannot break up and what the hon. Member was asking was not just that we break up one clause, clause 7 into 1, 2, 3 and 4 parts. What he was asking was that we break up clause 7(b) into- two parts. Now, I am afraid that would not be right and it could not be fair. We have stuck absolutely to the accord, the letter of the accord and the spirit of the accord. We have not wavered. We have not shifted our position one iota. It is not necessary for me to go into the details of each clause and why if has happened. We have stuck by the decision of every commission that was set up. Others have not. We have stuck by the letter, by the spirit. Others have not. If you go into the other clauses, certain things should have been done by now. They are not done. So it is not that we are blocking it. In fact, even the one clause which you want us to implement, which you have asked for implementation, has been halted because of the letter that was given to us by the Chief Minister of Punjab. It was not our unilateral action. In fact, we were going ahead with implementing it. We were requested not to do so and that is why we stopped. On our part, we are ready to implement the letter and spirit today. And we can do it. But the problem is not on us.

Once more let me reiterate that this problem that is happening in Punjab is not simple like many Members have said. It is not a law and order problem. Well, it is a law and order problem, but it is not merely a law and order problem. It is a much bigger problem than that and it must be tackled as such. We need to work together, perhaps less at this level and much more at the grass-root level in Punjab. And here we should see that the parties get together and work together. Some parties are doing very good, positive work. One Member mentioned that their party has lost a lot of its members in this. I

would like to say that our party has also j lost a lot of members. And being the big- ' gest party, obviously we have lost the most. I am not trying to put measures on this. It reflects the representation of the party in Punjab. It does not represent the force of will to fight against terrorism. We will be willing to cooperate with anyone who is willing to work genuinely in a secular manner to face these forces.

श्री चतुरानन मिश्र : पंजाब के बाहर भी आग न फैले इसका कोई इंतजाम कर लीजिए पहले।

श्री राजीव गांधी : क्य बहस कर रहे हैं? आप बोल चुके हैं।

SHRI GURUDAS DAS GUPTA: What is your initiative to bring all parties who are opposed to terrorism into real action ? what do you propose to do in that regard ?

SHRI RAJIV GANDHI: I said earlier that your recommendation of bringing the parties together under a voluntary force, I think, would be incorrect and wrong and highly dangerous. I would not recommend that. One member... *(Interruptions),* Let me finish. Otherwise we will be sitting till breakfast.

THE DEPUTY CHAIRMAN: No interruptions.

SHRI GURUDAS DAS GUPTA: What about political initiative of the patties against terrorism ?

THE DEPUTY CHAIRMAN: Please sit down.

श्री राजीव गांधी : एक और प्रश्न किसी मेम्बर ने उठाया था। वालंयटरी आर्म्ड फोर्स के विषय पर कि लाइसेंस हम दें हथियारों के लिए तो मुझे लगता है . . .

श्री राम नरेश कुशवाहा : कंटरी मेड हथियारों को फ्री करने के लिए मैंने कहा था।

श्री राजीव गांधी : मैंने आप की बात सुन ली अब मेरा जवाब तो सुन लीजिए। शायद सदस्य जी को मालूम होगा कि हथियार के लिए लाइसेंस हम यहां से नहीं देते। राज्य सरकार . . .

श्री राम नरेश कुशवाहा : कानून तो आप बनाते हैं।

श्री राजीव गांधी : राज्य सरकार के जूरिसडिक्शन में आता है। न हम उन्हें रोकते हैं और न हम उनसे लाइसेंस दिलवाते हैं।

श्री राम नरेश कुशवाहा : मैंने कानून बनाने के लिए ही कहा।

SHRI RAJIV GANDHI: Lastly, I would once more like to reiterate that this problem must be tackled on all fronts. We can allow a certain amount of flexibility. We can allow a time. I have said and I committed to allowing the full democratic process to take place. We would not like to intervene in that. But when the time comes, when we feel that intervention is required, we shall intervene as it says in the Constitution. We cannot intervene by all these peculiar methods which have been raised, which we feel are extra-constitutional. We may feel that we are quibbliag about an article or a clause in a law. But the country runs on laws. You cannot disregard the Constitution. We must go according to that and we will go according to that. When the time comes, when we fool that the time is ripe, we will take action, as is required by us in the Constitution. We will not be found wanting, we will not be found weak. We will take a very tough action and strong action.

MESSAGES FROM THE LOK SABHA

(I) The Customs and Excise Revenue Appellate Tribunal Bill, 1986.

(II) The Customs Tariff (Amendment) Bill, 1986.